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ATTORNEY DOCKET NO. 10990641-1

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APR 24 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Peter G. Webb

Serial No.: 09/359,527

Examiner: Betty J. Forman

Filing Date: July 22, 1999

Group Art Unit: 1634

Title: METHODS OF FABRICATING AN ADDRESSABLE ARRAY OF BIOPOLYMER PROBES

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 12-22-2005, rejecting the following claims 2-5, 8-14, 17, 49-52, 55-57.

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

<input checked="" type="checkbox"/>	one month	\$ 120.00
<input type="checkbox"/>	two months	\$ 450.00
<input type="checkbox"/>	three months	\$1020.00
<input type="checkbox"/>	four months	\$1590.00

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: OR

☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: 04-24-2006

Typed Name: Donna Macedo

Signature: *[Signature]*

Respectfully submitted,

Peter G. Webb

By

*[Signature]*  
Bret E. Field for Herbert Schulze  
Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 04-24-2006

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01 FC:1251 120.00 DA

Rev 08/05 (NonAppeal)

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02 FC:1401 500.00 DA